

1 Patrick R. Leverty, Esq., Nevada Bar No. 8840  
2 Vernon E. Leverty, Esq., Nevada Bar No. 1266  
3 William R. Ginn, Esq., Nevada Bar No. 6989  
4 LEVERTY & ASSOCIATES LAW CHTD.  
5 832 Willow Street  
6 Reno, NV 89502  
Telephone: (775) 322-6636  
Facsimile: (775) 322-3953  
*Attorneys for Plaintiff Pacific Energy & Mining Company*

7 Samuel A. Schwartz, Esq., Nevada Bar No. 10985  
8 BROWNSTEIN HYATT FARBER SCHRECK, LLP  
9 100 North City Parkway, Suite 1600  
Las Vegas, NV 89106  
Telephone: (702) 202-2206  
Facsimile: (702) 385-2741

11 Adam Silverstein, Esq., Admitted Pro Hac Vice  
12 Erik Weinick, Esq., Admitted Pro Hac Vice  
OTTERBOURG, P.C.  
13 230 Park Avenue  
New York, New York 10169  
14 Telephone: (212) 661- 9100  
Facsimile: (212) 682-6104  
*Attorneys for Defendant Maximilian Resources LLC*

15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

19 PACIFIC ENERGY & MINING COMPANY,  
20 a Nevada Corporation,

Case No.: 3:17-cv-00363-HDM-CBC

21 Plaintiff,

**ORDER GRANTING STIPULATION  
FOR EXTENSION OF TIME FOR  
DEFENDANT TO RESPOND TO THE  
MOTION FOR SUMMARY JUDGMENT  
[DOC. 61]  
(SIXTH REQUEST)**

22 vs.

23 MAXIMILIAN RESOURCES LLC,  
24 a Delaware Limited Liability Company,

25 Defendant.

**AND**

**ORDER GRANTING STIPULATION  
FOR EXTENSTION OF TIME FOR  
DEFENDANT TO RESPOND TO THE  
MOTION TO DISMISS COUNTER  
CLAIMS [DOC. 69]  
(FIFTH REQUEST)**

1           **WHEREAS**, Plaintiff Pacific Energy and Mining Company (“**Pacific**”) commenced this  
2 action against Defendant Maximilian Resources, LLC (“**Maximilian**” and together with Pacific,  
3 the “**Parties**”) by filing a Complaint for Declaratory Judgement (“**Plaintiff’s Complaint**”) on  
4 June 9, 2017;

5           **WHEREAS**, on June 6, 2018, Pacific filed a motion requesting that this Court issue a  
6 summary judgment in its favor (the “**Summary Judgment Motion**”);

7           **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so  
8 ordered by this court, Maximilian’s current deadline to oppose the Summary Judgment Motion  
9 is February 8, 2019 (the “**SJ Objection Deadline**”);

10          **WHEREAS**, on July 2, 2018, Maximilian filed an answer to Plaintiff’s Complaint and  
11 asserted certain counter-claims against Pacific;

12          **WHEREAS**, on July 17, 2018, Pacific filed a motion to dismiss Maximilian counter-  
13 complaint (“**Motion to Dismiss**”);

14          **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so  
15 ordered by this Court, Maximilian’s current deadline to oppose the Motion to Dismiss is  
16 February 8, 2019 (the “**Motion to Dismiss Objection Deadline**”);

17          **WHEREAS**, after extensive months-long settlement discussions regarding the issues  
18 raised herein and numerous other issues involving multiple parties located in multiple  
19 jurisdictions, the Parties have agreed to the material terms of a global settlement which they are  
20 in the process of documenting;

21          **WHEREAS**, the Parties agree that adjourning the SJ Objection Deadline and the Motion  
22 to Dismiss Objection Deadline is in their best interest and furthers the goal of judicial economy;

23          **NOW THEREFORE**, in consideration of the foregoing, of the mutual promises and  
24 covenants herein, and other considerations, the reasonableness of which is hereby acknowledged,  
25 the Parties hereto agree as follows:

26          1. The Parties hereby agree that the Objection Deadline to the Summary Judgment Motion  
27 is extended through and including March 8, 2019.

2. The Parties hereby agree that the Objection Deadline to the Motion to Dismiss is extended through and including March 8, 2019.

DATED this 31<sup>st</sup> day of January, 2019.

DATES this 31<sup>st</sup> day of January, 2019.

LEVERTY & ASSOCIATES LAW CHTD.

# BROWNSTEIN HYATT FARBER SCHRECK, LLP

/s/ Patrick Leverty

Vernon E. Leverty, Esq.

Patrick R. Leverty, Esq.

832 Willow Street

Reno, NV 89502

*Attorneys for Pacific Energy & Mining  
Company*

/s/ Samuel A. Schwartz

Samuel A. Schwartz, Esq.

100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106

Adam Silverstein, Esq.  
Erik Weinick, Esq.

OTTERBOURG, P.C.  
230 Park Avenue  
New York, New York 10169  
*Attorneys for Defendant  
Maximilian Resources, LLC*

## **IT IS SO ORDERED.**

Howard D McFadden

## SENIOR U.S. DISTRICT JUDGE

DATE: February 5, 2019